



THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301-4000

1 JUN 1993

FORCE MANAGEMENT  
AND PERSONNEL

MEMORANDUM FOR (SEE DISTRIBUTION)

SUBJECT: Civilian Assistance and Re-Employment (CARE) Program  
Implementing Instruction

This forwards the subject instruction which is effective immediately, and supersedes all previous instructions. It will be printed and distributed as subchapter 7, of Chapter 16, Force Management, of the Department of Defense (DoD) Civilian Personnel Manual as soon as possible.

As you implement these policies, we encourage you to communicate and cooperate with representatives from your labor and employee organizations. Copies of this memorandum with attachments and a supply of the CARE brochure will also be forwarded to Civilian Personnel Offices. We are available to meet with you, with your managers, and with staff and employees to provide information and advice. Questions regarding the interpretation or application of the attached instruction should be directed to Mr. Douglas R. Earich, Associate Director, CARE Division, or Mr. Billy Speed, CARE Division staff, on (703) 607-3475.

Ronald P. Sanders  
Principal Director  
Office of Civilian Personnel Policy  
and Equal Opportunity

Attachment:  
As Stated

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CHAPTER 16  
FORCE MANAGEMENT

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SUBCHAPTER 7  
CIVILIAN ASSISTANCE AND RE-EMPLOYMENT (CARE) PROGRAM

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**Section A - General Provisions.** The following provisions apply to all aspects of the Department of Defense's Civilian Assistance and Re-Employment (CARE) program, unless otherwise specifically indicated.

**1. Purpose.** This subchapter establishes policy, delegates authority, assigns responsibilities, and prescribes procedures for the DoD CARE program. It addresses civilian separation incentives, retraining and outplacement assistance, transition entitlements and benefits, and continuity of operations during drawdown and closure.

**2. Coverage.** This subchapter applies to the Office of the Secretary of Defense (OSD); the Military Departments (including their National Guard and Reserve components); the Chairman, Joint Chiefs of Staff and Joint Staff; the Inspector General of the Department of Defense (IG, DoD); the Defense Agencies and DoD Field Activities; and the OSD Director of Administration and Management. This subchapter does not apply to nonappropriated fund (NAF) employees and non-U.S. citizen workers unless otherwise stated.

**3. Responsibilities.**

a. The Deputy Assistant Secretary of Defense (Civilian Personnel Policy and Equal Opportunity) (DASD(CPP/EO), or designee, shall issue CARE policies and procedures, and monitor their implementation and effectiveness.

b. The DoD Comptroller and the Head of the Defense Finance and Accounting Service shall prescribe implementing financial instructions consistent with the policies and procedures outlined in this subchapter.

c. The Secretaries of the Military Departments, Directors of Defense Agencies and DoD field activities with independent appointing authority, and the OSD Director of Administration and Management shall issue internal implementing guidance and insure compliance with the provisions of CARE.

d. Installation commanders, or management officials with delegated appointing authorities, shall issue operating procedures necessary to carry out delegated personnel management authorities outlined in the CARE provisions found in this subchapter.

**4. Bargaining Obligations.** Installations must satisfy their bargaining obligations under title 5 United States Code (USC), chapter 71 prior to changing or establishing policies or procedures generated by this manual. Unions must receive advance notice of the changes, and the changes ordinarily may not be implemented until bargaining is completed. Where changes

conflict with existing negotiated agreements, they generally do not apply to covered employees until the agreement expires and the bargaining obligation is fulfilled. In some situations, installations must bargain over the substance of the changes as well as their implementation and the resulting agreement must be implemented despite a conflict with this manual.

5. **Supplementation.** The policies set forth in this subchapter shall not be supplemented or modified except as prescribed by statute or otherwise authorized herein. Secretaries of the Military Departments, the Directors of Defense Agencies and DoD Field Activities with independent appointing authority, and the OSD Director of Administration and Management are authorized to issue internal implementing guidance where they determine such guidance is essential. Copies of such guidance shall be provided to ODASD(CPP/EO) for review prior to publication.

**Section B - Civilian Separation Incentives.** The following provisions authorize the offer of separation incentives to encourage certain designated civilian employees to separate voluntarily from the Department. Subject to the policies and procedures set forth below, these incentives may be used to reshape and reduce the Department's civilian workforce; avoid the need for involuntary separations during reduction-in-force (RIF); and/or create vacancies for the placement of employees subject to RIF separation.

1. **General.** For purposes of this section, separation incentives include separation pay paid to eligible employees upon their resignation, early retirement, and optional (regular) retirement, as authorized by 5 USC 5597; and an outplacement subsidy paid to another Federal agency to fund a portion of relocation costs incurred in hiring an eligible DoD employee, as authorized by 5 USC 5724(e). Outplacement subsidies shall be offered in conjunction with civilian separation pay and may also be offered independently of separation pay at the installation commanders discretion consistent with the eligibility criteria for separation pay.

## 2. **Civilian Separation Pay.**

### a. **Policy**

(1) Section 5597, title 5, United States Code, authorizes the Secretary of Defense to establish a separation pay program under which resignation, early retirement and optional retirement incentives may be offered to encourage eligible employees to separate voluntarily.

(a) Separation pay may be offered at any time and/or at any location where the acceptance of an incentive will result in aggregate net savings over a two-year period, and where such savings avoid civilian involuntary separations.

(b) Separation pay will be offered at least 30 days before RIF notices are issued at DoD installations undergoing RIF or closure where the acceptance of an incentive will avoid or minimize the need for involuntary separations.

(c) Normally, separation pay will be offered at other DoD installations where the acceptance of an incentive will, through subsequent placement or job abolishment, avoid the need for a RIF separation.

(2) Separation pay is a lump sum incentive equivalent to an employee's severance pay entitlement up to a maximum of \$25,000 paid upon the voluntary resignation, early retirement or optional retirement of designated eligible employees. The amount of separation pay is not discretionary. Civilian Personnel Offices (CPOs) will calculate the amount using the severance pay formula in 5 USC 5595(c).

#### b. Authority

(1) Component heads are delegated the authority to offer resignation, early retirement, and optional retirement incentives to employees in occupational series, grades and/or locations that they designate, in accordance with the above policy. A cost analysis must be completed before incentives are approved (format at Attachment 1). This authority should be redelegated to the lowest practicable level.

(2) Early retirement incentives require Voluntary Early Retirement Authority (VERA) approved by the Office of Personnel Management (OPM). VERA requests will be processed through ODASD(CPP/EO) in accordance with FPM Supplement 351-1, Appendix B.

(3) The offer of incentives may be expanded to employees of other Components by ODASD(CPP/EO), in coordination with the affected Components.

(4) Component heads are delegated authority to approve NAF separation pay plans that generally comply with the provisions herein (e.g., provisions such as VERA which do not apply to NAF employees may be excluded from the NAF separation pay plan). Incentives for NAF employees must be paid from nonappropriated funds.

#### c. Employee Eligibility and Conditions.

(1) Only U.S. citizen employees defined by 5 USC 5597, and corresponding NAF employees are eligible for separation pay. In addition, employees:

(a) Must be serving under an appointment without time limitation, and must have been employed by the Federal Government for a continuous period of at least 12 months,

(b) May not be a reemployed annuitant, and

(c) May not have a pending or approved application for disability retirement.

(2) Generally, an employee is not eligible for separation pay if he or she is;

(a) Occupying a position defined as "hard to fill"; or

(b) Receiving dual compensation under a waiver; or

(c) Receiving a retention allowance; or

(d) Covered by a written service agreement resulting from permanent change of station (PCS), training, or receipt of a recruitment or relocation bonus; or

(e) Occupying a position for which special salary rates are approved.

Exceptions may be granted on a case-by-case basis by the installation commander or management official with delegated appointing authority (or, in the case of special salary rates, the appropriate Component Assistant Secretary or equivalent), where that official determines the offer of separation pay is in the best interest of the offering installation. Such exceptions shall be documented in writing.

(3) Members of the Senior Executive Service and equivalent employees (SL, ST, SIES, etc.) are not eligible for separation pay except where the Assistant Secretary of Defense for Force Management and Personnel (ASD(FM&P)) approves their voluntary separation to avoid a RIF.

(4) Employees who have already accepted a position with another Federal agency are not eligible for separation pay.

(5) Employees in receipt of a specific RIF separation notice and employees who resign or retire "in lieu of involuntary action" are not eligible for separation pay.

(6) Employees who accept early or optional retirement incentives must meet the age and years of service requirements for retirement eligibility by the effective date of their retirement.

(7) An employee who receives separation pay cannot register in the DoD Priority Placement Program (PPP) and cannot be reemployed by any DoD installation in any capacity for a period of 12 months from the effective date of that employee's separation. Exceptions may be approved by the appropriate Component Assistant Secretary, or equivalent, on a case-by-case basis.



(8) Where the number of employees applying for separation pay exceeds the number of offers available and it has been determined that the use of separation pay for any group of employees will result in the avoidance of an involuntary separation, applications within that group will be processed in order of seniority using the Service Computation Date (SCD) for leave.

(9) Early retirement incentives may be offered only in conjunction with VERA. OPM strictly limits the number of early retirements authorized at any installation. VERA authority automatically expires when those limits are reached. When an employee's planned early retirement effective date is after the automatic expiration date, the installation must give the employee an opportunity to retire immediately; otherwise, the early retirement is voided.

#### d. Procedures

##### (1) Coordination and Approval.

(a) As part of the required submission of the annual Civilian Employment Plan to the ASD(FM&P), Component heads will include information regarding projected incentive offers involving 50 or more employees or more than one location. The information should include, location(s), number of employees, grades and occupational series, types of incentives offered and scheduled dates of availability, where possible. Revisions or additions to this information must be provided to ASD(FM&P) in advance of any incentive offer. These plans will be used as a basis for allocating any funds budgeted and/or appropriated for civilian separation pay.

(b) When a Component offers incentives to 50 or more employees at a single installation, or to employees at more than one location, the Component must notify the appropriate CARE Zone Office.

(c) Components must offer incentives at least 30 days in advance of the issuance of RIF notices at a particular installation. RIFs involving 50 or more involuntary separations must be approved by the ASD(FM&P) prior to announcement or issuance of RIF notices.

(d) Not later than 30 days after the issuance of RIF notices at a particular installation, the Component will provide ODASD(CPP/EO) with a plan to expand the offer of incentives to other DoD installations in order to create vacancies for the placement of employees scheduled to be separated. Expanded offers, whether within or between Components, should first be made to DoD employees within the commuting area to minimize PCS costs. Before approving requests to expand offers between Components, ODASD(CPP/EO) will coordinate with the affected Component(s).

(2) Employee Notification. Components will issue a notice to each employee offered an incentive. The notice will specify the type of incentive, the time limit for accepting the offer, and the eligibility requirements in paragraphs 2c(7), (8), and (9) above.

(3) Processing Personnel Actions. CPOs will process personnel actions in accordance with standard procedures using the nature of action and authority codes established by the OPM in FPM Supplement 296-33 for separation pay. For employees receiving incentives, the effective date of the personnel action may be any date agreed to by the installation commander or his/her designee except that employees receiving an early retirement incentive must retire before the OPM approved VERA expires. Employees who accept an incentive must sign a statement on the Request for Personnel Action, SF-52, confirming the voluntary nature of the action and indicating they understand the reemployment restrictions resulting from their acceptance of the incentive. The statement must also indicate the request for personnel action is irrevocable.

e. Funding. As a general matter, the Component offering separation pay shall be responsible for funding it. Separation incentives shall be paid from appropriations and funds normally used for the pay and benefits of civilian employees. The overall cost of such incentives shall be funded from the pay, benefits, and/or additional separation costs (severance pay and unemployment compensation, etc.) saved by the voluntary separation of civilian employees.

However, where a separation incentive is offered by one Component to create a vacancy for the placement of a surplus employee from another Component, the DoD Comptroller may allocate funds from the central DOD account, if available, to pay for the separation incentive. The DoD Comptroller shall develop and issue procedures for funds control and reporting requirements, as necessary.

f. Reporting Requirements. Using the format at attachment 1, Components will report the use of separation pay to ODASD (CPP/EO) not later than 90 days after the separation pay offer terminates (RCS DD-FM&P(AR)1897). The report must also describe any exceptions granted under paragraphs 2c(2) or (3), above. Where separation pay is authorized across Component lines, the appropriate CARE Zone Office will assume responsibility for providing the report, with those installations offering separation pay providing the necessary information to that office as required.

3. Outplacement Subsidy. Ordinarily, DoD pays PCS costs incurred by another Federal agency, where that agency hires a DoD employee who is in receipt of a RIF separation notice. To encourage the placement of additional DoD employees in other Federal agencies, DoD will also pay up to \$20,000 in PCS costs incurred by another Federal agency, where that agency hires any DoD employee in a

surplus skill category who is subject to RIF. Eligible employees are responsible for applying for vacant positions in other Federal agencies, and for advising those agencies of the outplacement subsidy available to them. For eligible employees who register in the Defense Outplacement Referral System (DORS) and/or the OPM's assistance programs for displaced employees, the availability of an outplacement subsidy shall be indicated in their registration record. The CPO shall give eligible employees information about the subsidy to include with their job applications. A sample is provided in attachment 1.

**Section C - Retraining and Additional Outplacement Assistance.**

The following provisions insure that DoD employees facing involuntary separation are offered retraining and assistance in obtaining employment outside the Federal government. In this regard, these employees may be provided early retraining and transition assistance under the Job Training Partnership Act (JTPA). In addition, DoD requires that certain contractors give separated DoD employees hiring preference if they are otherwise qualified for vacant positions with those contractors.

**1. Early Release of JTPA Funds.** Generally, the Department of Labor offers JTPA funds to employees who have received a notice of involuntary separation; those funds provide for retraining, relocation, and transition assistance and are passed to employees through the appropriate State Employment Services Office. Under the conditions specified below, JTPA funds may be released to assist DoD employees in advance of the issuance of separation notices. JTPA provisions also apply to NAF employees.

a. In all cases, installation commanders, or designee, are responsible for contacting the appropriate State Employment Services Office to insure DoD employees receive JTPA assistance at the earliest opportunity. The CPO is responsible for providing employees information about JTPA and evidence of eligibility.

b. Employees assigned to DoD installations approved for closure or realignment may apply for JTPA assistance up to 24 months in advance of the effective date of the closure or realignment. These employees do not need a Certificate of Expected Separation during this 24 month period.

c. Any DoD employee may apply for JTPA assistance upon receipt of a Certificate of Expected Separation under 5 CFR 351.807. Certificates of Expected Separation may be issued by CPOs to employees in surplus skill categories up to six months prior to the planned effective date of a RIF. Sample Certificates of Expected Separation, including one for NAF employees, are provided at Attachment 1.

**2. Hiring Preference for Certain Contractor Jobs.** In accordance with Subpart 222.71 of the Defense Acquisition

Regulation, contractors retained to prepare a DoD installation for closure, or to maintain the installation after closure, are required to give hiring preference to qualified DoD employees involuntarily separated or identified for such separation from that installation. In this regard, a contractor with vacant positions is required to give eligible and qualified DoD employees a "right of first refusal" before hiring from any other sources.

a. Employees permanently assigned to a closing installation are eligible for this preference. However, employees who, because of the nature of their Federal position, are subject to post-employment conflict of interest restrictions shall not be afforded this preference. Questions on post-employment restrictions should be referred to appropriate legal counsel.

b. CPOs are responsible for obtaining information from the contractor on job openings, qualifications, and application procedures; and notifying the workforce of this information. CPOs are also responsible for verifying an employee's preference right, upon the employee's request.

c. Employees are responsible for applying for specific contractor vacancies. Questions concerning the exercise of this preference should be referred through the CPO to the appropriate contracting officer's technical representative.

**Section D-- Transition Entitlements and Benefits.** The following provisions establish certain benefits and entitlements to ease the transition of employees separated by RIF. Authorized by legislation and/or OPM regulation, these provisions involve the post-separation extension of employment to reach retirement and/or retiree health insurance eligibility, as well as the continuation of health benefits for other involuntarily separated employees.

**1. Extended Employment for Retirement and/or Health Benefits.** DoD Components will continue to carry a civilian employee in an annual leave status, beyond scheduled separation date, to the extent such leave is available in the employee's annual leave account, if in so doing, the employee will attain first eligibility for retirement annuity and/or Federal Employee Health Benefits Program (FEHBP) annuitant coverage. This provision also covers NAF employees to the extent they would become eligible for their corresponding NAF retirement and health benefits programs.

a. Normally, an employee is released on the effective date of the RIF. However, under 5 CFR 351.608(c)(2), an employee is granted a temporary exception to the order of release from the applicable RIF competitive level under the conditions set forth above. Subject to these conditions, the employee will be carried on a Component's rolls (in an annual leave status) past the effective date of the RIF separation, until such time as the employee meets the age and service eligibility requirements for

retirement and/or FEHBP annuitant coverage. All leave available in an employee's annual leave account may be used for this purpose.

b. The installation CPO shall identify eligible employees and provide them with information concerning this entitlement, including applicable conditions and waiver procedures (a sample notice is provided at Attachment 1). Defense Civilian Personnel Data System (DCPDS) users will be provided with a standard identification Direct English Statement Inquiry (DESIRE). The employing Component is responsible for funding any expenditures associated with this entitlement and for carrying an eligible separated employee, unless that employee waives this entitlement in writing.

2. Temporary Continuation of Health Insurance. The Department will pay the government's share of a separated employee's health insurance premium (and any applicable administrative fee) for a period of up to 18 months from the effective date of the employee's RIF separation (or comparable action noted below).

a. This provision applies to employees who are otherwise enrolled in FEHBP at the time of their separation and who are involuntarily separated by RIF; or who resign or retire after receipt of a RIF separation notice; or who served on a temporary appointment that was terminated or allowed to expire as a result of RIF, and who received a government contribution to their FEHBP coverage while serving on that appointment. This entitlement expires on September 30, 1997 (unless an employee receives notice of RIF separation on or before that date, in which case the entitlement expires on January 31, 1998).

b. The servicing CPO shall include the following information on the Health Benefits Registration Form (SF 2809):

Self, DoD-RIF, Involuntary Separation, P.L. 102-484 5 USC 8905(d)); separation date: (enter date); last day of pay period: (enter date); Agency Code: (enter four digit code); Appropriations Code: (enter nine digit code).

c. The employing Component is responsible for funding this entitlement. In the case of a closing installation, the installation's Component is responsible for furnishing written notice to the National Finance Center of the successor personnel office designated to receive enrollment information and advise separated enrollees. Notification must be prior to the first day of the month in which the successor personnel office becomes responsible.

Section E - Continuity of Operations During Closing. The following provisions insure that the Department's closing installations are able to acquire and/or retain the human resources necessary to continue mission-essential functions while minimizing adverse employee impact. They establish the means for filling critical

positions by re-employment, reassignment, or promotion, and provide for unlimited accumulation of annual leave at closing installations.

1. Filling Critical Positions. Under certain circumstances, DoD will waive dual compensation restrictions for military and civilian annuitants temporarily appointed to critical vacancies at a closing installation. Further, under certain conditions, DoD has waived provisions of the PPP to permit the permanent reassignment or promotion of employees to vacant or encumbered positions that are critical to operations.

2. Waiver of Dual Compensation Restrictions. DoD may waive dual compensation restrictions on a re-employed annuitant (military and civilian) on a case-by-case basis to permit a closing installation to appoint that annuitant temporarily to a critical vacancy. Generally, re-employed annuitants are subject to dual compensation restrictions; however, in accordance with 5 USC 5532, OPM may waive those restrictions. In turn, OPM has delegated this authority to DoD in limited circumstances dealing with critical positions at closing installations.

a. Closing installations must submit waiver requests through the appropriate Assistant Secretary or Defense Agency Director to the OSD Director of Administration and Management for approval. Attachment 2 outlines procedural requirements and documentation for the submission of dual compensation waiver requests.

b. The following categories of employees are ineligible for a dual compensation waiver under this section:

(1) current DoD employees serving with reduced salary or retirement pay under the provisions of 5 USC 5532, 8344, or 8468;

(2) current DoD employees who become eligible to retire during the 12-month period prior to the closing date of the installation; and

(3) military and civilian personnel formerly employed by a DoD installation in the same commuting area who retired with separation pay and/or under VERA. NOTE: Waivers involving individuals taking early retirement or separation pay at any location can be approved only in rare circumstances.

3. Reassignment or Promotion to Critical Vacancies. Under certain conditions, DoD has waived applicable provisions of the PPP (DoD 1400.20-1-M) to permit a closing installation to reassign or promote an employee permanently to a critical vacancy. The reassignment or promotion may be from within or outside the closing installation and applies only to employees serving on appointments without time limit.



**DEPARTMENT OF DEFENSE**  
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However, when the installation's parent Component determines that an affected employee performs or will perform critical duties with respect to the closing installation, that Component will provide that employee with post-closure reassignment or transfer to a position for which he or she is otherwise qualified.

a. Generally, vacancies at a closing installation can only be filled by temporary appointment within 24 months of closure date. However, where the installation's parent Component provides the affected employee with a written guarantee of post-closure reassignment to another installation, and the employee agrees in writing to remain at the closing installation until released, such positions can be filled permanently) The closing installation shall retain the post-closure reassignment and mobility agreements. Employees can not be placed into the vacancy under this provision from outside the commuting area, unless the Stopper List is cleared. Post-closure placements effected under this provision are not subject to the PPP.

b. Guaranteed post-closure placement is not required where the affected employee is eligible for optional retirement on the date of closure; or discontinued service retirement at least 12 months prior to the date of closure. Where the candidate will become eligible for discontinued service retirement less than 12 months prior to the date of closure, OPM must determine that the placement will not affect such eligibility.

(1) The closing installation submits a request for determination to the cognizant OPM Region, with a copy to the appropriate DoD CARE Zone Office. The request shall include a description of the vacancy's critical nature, the lack of qualified candidates, and shall certify that the placement is not being made solely for the purpose of arranging eligibility for discontinued service retirement and/or an Alternative Form of Annuity.

(2) If the candidate will become eligible for discontinued service retirement less than 12 months prior to closure but is already in receipt of a RIF separation notice issued by another installation, an OPM determination is not required.

4. Job Exchanges. Under certain conditions, DoD has waived applicable provisions of the PPP to permit an employee at a closing installation to exchange jobs with another employee at an installation not affected by RIF or closure.

a. Closing installations announce the availability of positions for job exchange through the PPP electronic bulletin board; such positions must be certified as continuing for at least 12 months. All installations not scheduled for closure are required to post job exchange opportunities along with other vacancy announcements.

(1) The gaining installation decides whether an exchange candidate is qualified to perform the duties of the position in question. Both installations must agree to the exchange.



(2) The closing installation is responsible for paying PCS expenses for both exchange employees.

b. To be considered for an exchange position, an employee must submit an SF-171 directly to the closing installation. The exchange candidate must occupy a position with the same grade, and must be qualified to perform the duties of the position in question. In addition, a candidate for an exchange position at a closing installation must be eligible for an optional retirement on or before the closing date; for discontinued service retirement, candidates must be placed in the position at least 12 months before closure. Candidates must also agree in writing to remain in that position until released by the installation.

5. Annual Leave Savings. Employees permanently assigned to an installation designated for closure have the right to accumulate annual leave without regard to existing "use or lose" limitations. This provision applies to employees permanently assigned to approved installation scheduled to close during the period October 1, 1992 through December 31, 1997. It does not apply to employees assigned to organizations or functions located at the installation that are designated to continue after closure at the same location.

a. In accordance with 5 USC 6304(d), the impending closure of an installation constitutes an exigency of the public business, thus relieving employees assigned to that installation from the requirement to schedule leave in advance to be eligible for the restoration of forfeited annual leave. Leave in excess of the statutory maximum is treated as if it was restored and shall be placed in a separate leave account; employees shall not be required to use this restored leave before other available annual leave.

b. The closing installation's servicing CPO shall notify all serviced employees of their eligibility for annual leave savings, and shall provide the installation's servicing payroll office(s) with a list of those employees by SSN, who are eligible for such savings. That list is updated as changes in employee status occur.

c. All annual leave will transfer when an employee moves to another Federal job. The standard leave restoration rules apply to the use or lose leave earned during the year in which the transfer occurs.

## Cost/Savings Analysis

	Costs		Savings				Total Savings	Net Savings/Cost (negative results indicate savings)
	Sep. Pay (\$M)	RIFs Avoided	Sev. Pay \$12K ea (\$M)	Unemploy. \$6K ea (\$M)	Health Ins. 1 \$3K ea (\$M)	Salary Diff. 2 \$15K ea (\$M)		
Year 1:								
xxx Resignations (@\$13K ea)	\$xxx	xxxx	\$xxx	\$xxx	\$xxx		\$xxx	\$xxx
xxx Early Retirement (@\$25K ea)	\$xxx	xxxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx
xxx Regular Retirement (@\$25K ea)	\$xxx	xxxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx
Year 1 Totals	\$xxx	xxxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx
Year 2:								
Resignations					\$xxx			\$xxx
Early Retirement					\$xxx	\$xxx		\$xxx
Regular Retirement					\$xxx	\$xxx		\$xxx
Year 2 Totals					\$xxx	\$xxx	\$xxx	\$xxx
Year 3:								
Early Retirement						\$xxx		\$xxx
Regular Retirement						\$xxx		\$xxx
Year 3 Totals						\$xxx	\$xxx	\$xxx
Cumulative	\$xxx	xxxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx	\$xxx

1. \$2K in Year 1; \$1K in Year 2
2. No salary savings for resignation incentive

# CIVILIAN SEPARATION PAY REPORT

Submitting Organization:

Date:

## Summary Information

Resignation Incentive: (Total Authorized \_\_)

<u>Pay Plan</u>	<u>Series</u>	<u>Grade</u>	No. of <u>Offers</u>	No. of <u>Acceptances</u>
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Early Retirement Incentive: (Total Authorized \_\_)

<u>Pay Plan</u>	<u>Series</u>	<u>Grade</u>	No. of <u>Offers</u>	No. of <u>Acceptances</u>
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Regular Retirement Incentive: (Total Authorized \_\_)

<u>Pay Plan</u>	<u>Series</u>	<u>Grade</u>	No. of <u>Offers</u>	No. of <u>Acceptances</u>
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# CIVILIAN SEPARATION PAY REPORT (Continued)

Individual Transaction Information: (Use only for expanded application)

## Resignation Incentive:

Incentive Recipients				Involuntary Separations Avoided							
Pay Plan	Series	Grade	Salary	Incentive Amount	Separation Date	Pay Plan	Series	Grade	Salary	Pay Avoided	Severance Pay Avoided

## Early Retirement Incentive:

Incentive Recipients				Involuntary Separations Avoided							
Pay Plan	Series	Grade	Salary	Incentive Amount	Separation Date	Pay Plan	Series	Grade	Salary	Pay Avoided	Severance Pay Avoided

## Regular Retirement Incentive:

Incentive Recipients				Involuntary Separations Avoided							
Pay Plan	Series	Grade	Salary	Incentive Amount	Separation Date	Pay Plan	Series	Grade	Salary	Pay Avoided	Severance Pay Avoided

# CIVILIAN SEPARATION PAY REPORT (Continued)

## Costs/Savings

### Resignation Incentive:

	Total <u>Paid</u>	Average <u>Payment</u>	Severance <u>Pay Avoided</u>	Unemployment <u>Comp Avoided</u>	Health Benefits <u>Cost Avoided</u>	Salary <u>Differential</u>	Total <u>Savings</u>
Year 1							
Year 2							
Year 3							
Total							

### Early Retirement Incentive:

\*Same information as for Resignation Incentive

### Regular Retirement Incentive:

\*Same information as for Resignation Incentive

SAMPLE

(DATE)

From:

To: (employee's name)

Subject: Outplacement Subsidy

While the Department of Defense is downsizing, we are committed to placing employees to reduce the numbers of those who may be separated by reduction-in-force. Therefore, if another Federal agency hires you and agrees to pay relocation costs, that agency may be reimbursed for up to \$20,000 toward allowable permanent change of station expenses.

To encourage Federal managers and supervisors to consider you for employment, the Department of Defense Civilian Assistance and Re-Employment (CARE) staff has notified other Federal agencies about this subsidy. You should include this letter with your application for positions with other Federal agencies. It will alert the selecting official that, if you are selected, and a relocation move is authorized, a subsidy may be paid. The manager or their personnel office can contact (name) for additional information about his subsidy.

(Signature)

SAMPLE

Atch 1

SAMPLE

From:

(DATE)

To: (employee's name)

Subject: Certificate of Expected Separation

1. As part of the Department of Defense restructuring and downsizing, you may face a RIF on approximately (estimated effective date). At least (120/60) days before a RIF action affecting you, you will receive a specific RIF notice giving you information on the determinations made concerning your position, your retention standing and benefits and programs available to you.
2. Although no final decisions have been made, based on a review of your personnel records, we have determined that you will likely be separated by RIF. This certificate of expected separation establishes your eligibility to participate in retraining and readjustment programs, and receive outplacement assistance.
3. Because your employment opportunities in the Federal and private sectors in this local area are very limited, you can use this certificate to register in assistance programs. Information on programs that will improve your prospects for employment is provided below. The CPO and the State Employment Services Office staff will give you specific information on how and where to apply for assistance.

- Job Training Partnership Act (JTPA). The U.S. Department of Labor provides funding through the state for employees like you who may be facing separation. Various types of retraining and readjustment assistance such as counseling, testing, placement assistance, support services and financial counseling are available to you.

- DoD Priority Placement Program (PPP). This certificate allows you to register in the DoD PPP, if you are not already registered. The DoD PPP gives you mandatory placement in vacancies which match your skills and grade levels, at DoD locations for which you register.

- DoD Reemployment Priority List (RPL). Because you have received this certificate, you can register for the RPL. Registering gives you priority reemployment consideration for DoD jobs within your commuting area over certain non-DoD job applicants.

- OPM Interagency Placement Assistance Program (IPAP). You are eligible to register in the Office of Personnel Management (OPM) program for employees identified as surplus, the IPAP. The

IPAP provides you priority referral for vacancies when agencies are hiring from outside the Federal service.

- OPM Displaced Employee Program (DEP). You are also eligible to register in this OPM program which requires Federal agencies to give full consideration to qualified registrants who are or will be separated before hiring other candidates from outside the Federal Government.

4. To enroll in any of these programs, you must have received this certificate or a notice of RIF separation. For more information, contact (name, phone number and address of CPO official).

(Commander/designee)

SAMPLE

Atch 1



SAMPLE

FROM: . . .

(DATE)

TO: (employee's name)

Subject: Certificate of Expected Separation

1. As part of the Department of Defense restructuring and downsizing, you may face a Business Based Action (BBA) on approximately (estimated effective date). At least 30 days before a BBA affects you, you will receive a specific BBA notice giving you information on the determinations made concerning your position, your retention standing and benefits and programs available to you.

2. Although no final decisions have been made, based on a review of your personnel records, we have determined that you will likely be separated by BBA. This certificate of expected separation establishes your eligibility to participate in retraining and readjustment programs, and receive outplacement assistance.

3. Because your employment opportunities in the Federal and private sectors in this local area are very limited, you can use this certificate to register in assistance programs. Information on programs that will improve your prospects for employment is provided below. The personnel office and the State Employment Service Office staff will give you specific information on how and where to apply for assistance.

- Job Training Partnership Act (JTPA). The U.S. Department of Labor provides funding through the state for employees like you who may be facing separation. Various types of retraining and readjustment assistance such as counseling, testing placement assistance, support services and financial counseling are available to you.

- Reemployment Priority List (RPL). Through the RPL, this activity gives priority placement opportunity to its NAF employees separated by BBA. Also, employees separated by BBA may receive priority consideration for NAF jobs at other NAF activities in the local commuting area.

- Defense Outplacement Referral System (DORS). Through DORS, you may register and be referred for consideration for either or both civil service and NAF jobs by other DoD agencies and non-DoD Federal agencies. DORS also makes referrals to the private sector.

4. To enroll in any of these programs, you must have received this, certificate or a notice of BBA separation. For more information, contact (name, phone number and address of service personnel office official).

(Commander/designee)

SAMPLE

Atch 1

SAMPLE

(DATE)

From:

To: (employee's name)

Subject: Extended Employment for Retirement and/or Health Benefits

1. Our initial review indicates that you will be very close to (attaining eligibility for an immediate annuity/establishing eligibility to carry health benefits coverage into retirement) on the date set for your reduction-in-force (RIF) separation. Regulations permit you to stay on the employment rolls, in an annual leave status, past your RIF separation date if, in so doing, you could attain such eligibility.
2. As of the date set for your RIF separation, you have enough accrued annual leave to carry you to the date you would first become eligible for (immediate retirement/ continuation of health benefits). Accrued annual leave includes all your accumulated and accrued annual leave, any restored annual leave you may have and if applicable, annual leave (that has been donated to you under the Voluntary Leave Transfer Program/made available to you under the Voluntary Leave Bank Program). It also includes the annual leave you will earn while being carried in an annual leave status. Annual leave may not be advanced for this purpose. Annual leave is the only type of leave in which you can be carried. While in this annual leave status, you cannot use sick leave, compensatory time accrued in lieu of overtime payments or for religious purposes, credit hours earned under a flexible work schedule or leave without pay.
3. This exception will be applied unless you sign and return the attached waiver by (date). Unless waived, you will be placed in an annual leave status on (date). This is the first workday after the day you would have otherwise been separated due to RIF. Your retirement will be effective on (date).
4. While in this annual leave status, you will be entitled to all of your current benefits. The balance of annual leave not used during this temporary exception will be paid to you under the normal lump sum leave payment rules. Use of this temporary exception does not alter your retention standing or entitle you to further offers of assignment rights.
5. Please contact (name and telephone number of CPO official) by (date) to discuss your decision regarding this temporary exception. ---

(Signature of CPO official)

1 Atch  
Waiver

SAMPLE

Atch 1

Dual Compensation Restriction Waivers  
for Civilian Employees  
Requirements, Criteria, and Procedures

I. Requirements and Criteria:

a. Because an individual's decision to retire should not be influenced or encouraged by the possibility of subsequent reemployment, neither DoD nor OPM will normally accept requests while candidates are still on agency rolls. Exception to this requirement will be granted only in very rare instances.

(1) Waiver approvals apply only to the particular individuals for whom originally authorized and only while those individuals continue to serve in the same or direct successor positions for which initial waivers were approved. A determination made in connection with one specific vacancy does not assure a like determination in connection with future vacancies.

(2) All requests must identify the individual for whom the exception is requested, the appointing authority to be used, and the position for which he or she will be appointed. Requests must include a current properly classified position description and a fully completed and signed Personal Qualifications Statement (SF-171) for the position and person under consideration. Other requirements include:

- (a) CSRS or FERS claim number, if any;
- (b) date of retirement;
- (c) type of retirement (voluntary, discontinued service, disability, etc.);
- (d) for a military service retiree, rank at retirement and type of service (regular or reserve, officer or enlisted);
- (e) amount of current annuity or retired or retainer pay;
- (f) in-depth analysis of the individual's qualifications that meet the agency's emergency need or critical skills shortage;
- (g) certification by the individual that he or she will not accept the job if pay or retirement is reduced;
- (h) documentation of bona fide offers of nonfederal employment, if any; and

(i) qualification requirements, including any selective factors or other specific requirements that would justify the submission.

b. In addition to the general requirements specified above, requests must be submitted in accordance with the criteria set out below in paragraphs (1), (2), or (3) of this section. Unless the request is submitted in accordance with paragraph (3), the individual must be off the agency's rolls before submission. To the degree that justification would involve classified materials, classified information must be certified for those who need to know through submitting headquarters. Written materials needed for OPM approval must be unclassified.

(1) Requests based on an emergency hiring need. DoD organizations may request reemployment without penalty for an individual whose services are needed on a temporary basis to respond to an emergency involving a direct threat to life or property or other unusual circumstances. Requests submitted on this basis must meet the following criteria:

(a) Nature of Emergency. Describe the military threat, natural disaster, or other unforeseen occurrence, the date it occurred, and the expected duration of the emergency response effort.

(b) Need for the individual's services. The major submitting component must show either that the individual is uniquely qualified for the emergency response work to be done or that the number of positions to be filled and/or urgency of response justifies making the particular appointment without further delay. Reemployment without penalty under 5 U.S.C. 5532, 8344, or 8468 will not be approved solely to meet normal seasonal workload fluctuations.

(2) Request based on severe recruiting difficulty. Generally, requests for exception will be based on exceptional difficulty in recruiting (whether conducted via Merit Promotion or other means) a qualified candidate for a particular position. Requests submitted on this basis must include a description of the length, breadth, and results of the agency's recruiting efforts for the position and any other factors demonstrating that a legitimate recruiting need cannot be met without the requested waiver. These factors may include, but are not limited to, unusual qualification requirements or working conditions, possibility of job engineering or contracting, or a need to fill the position without further delay. Other specific information about recruiting difficulty includes:

(a) Number of vacancies in the series, grade, and location;

(b) Length of time the particular position has been vacant, and average length of vacancies in such positions;

(c) Average annual turnover in the series, grade, and location;

(d) Number of declinations based on pay/retirement issues (indicate how many in a pertinent organizational segment cited pay/retirement offset concern, how many cited nonfederal job offers which would not require any reduction and how many cited dissatisfaction with the combined compensation they would receive).

(e) Note whether a recruitment bonus is being offered and how much the bonus is.

(f) Discuss the employing organization's use of training (including formal education) to increase the supply of candidates.

(3) Exceptions based on need to retain a particular individual. In very rare cases, an exception may be appropriate when employing an activity needs to retain the services of a particular individual who is uniquely qualified for an ongoing project. Requests submitted on this basis must meet the following criteria:

(a) Critical nature of project. The employing activity must describe the importance of the project to the agency's mission, the potential costs of project failure or delay, legislative or Presidential deadlines, if any, and any other factors demonstrating that the project is unusually critical. Exceptions will not be approved under this paragraph merely to avoid delay in scheduled completion of ongoing work.

(b) Candidate's unique qualifications. The employing activity must describe the knowledges, skills, and abilities possessed by the individual that are essential for successful completion of the project and that could not be acquired by another appointee within a reasonable time.

(c) Need for retention. The employing activity must show good cause to believe that the employee will retire (or, in the case of a military retiree employed in a civilian position, will resign from that position) and that it will lose his or her services if the exception is not granted.

(d) Other staffing options. While an employing activity in this situation is not required to conduct outside recruiting, the request for exception must address why the work could not be assigned to other employees involved with the same

project. The employing organization must also discuss the possibility of using a retention allowance to retain the employee through completion of the critical project. The length of time needed to complete the project justifying the waiver must also be specified.

II. Length of Exceptions: Time limits may be specified for reemployment without penalty of any individual approved. If the major submitting component wishes to continue the exception for an individual beyond the specified time, the request for renewal must demonstrate that the conditions justifying the initial exception still exist.

III. Other Requirements: Dual compensation waivers must be fully documented. The intent of documentation for the employee is to assure the individual involved understands the conditions of the waiver and cannot claim inadequate knowledge. Employing activities are responsible for notifying the appropriate uniformed services pay center of dual compensation waivers approved and terminated, as well as for assuring that employees are fully informed of the current status of such waivers. Failure of the appropriate uniformed service pay center or the employing civilian personnel office (in the case of civil service annuitants) to terminate waivers on a timely basis does not release affected employees of their financial liability.

## AUTHORITIES and REFERENCES

1. Civilian Separation Pay: 5 USC 5597; section 4436 of P.L. 102-484, The National Defense Authorization Act for Fiscal Year 1993.
2. Outplacement Subsidy: 5 USC 5724(e); DoD 1400.20-1-M, DoD Program for the Stability of Civilian Employment; DoD Civilian Personnel, Joint Travel Regulation (JTR), Volume 2, C1052.
3. Early Release of JTPA Funds: Economic Dislocation and Worker Adjustment Assistance Act, 29 USC 1651 et seq.; 5 CFR 351.801; 5 CFR 351.807; section 4467 of P.L. 102-484, The National Defense Authorization Act for Fiscal Year 1993.
4. Hiring Preference for Certain Contractor Jobs: Defense Acquisition Regulation, Subparts 222.71 and 252.2.
5. Extended Employment for Retirement and/or Health Benefits: 5 CFR 351.608(c)(2).
6. Temporary Continuation of Health Insurance: 5 USC 8905a(d); 5 CFR 890, subpart K; section 4438 of P.L. 102-484, The National Defense Authorization Act for Fiscal Year 1993.
7. Waiver of Dual Compensation Restrictions: 5 USC 5532; 5 CFR 550.601-550.603; 5 CFR 553.201-553.203; FPM Ltr 553-3, May 20, 1991.
8. Job Exchange: DoD 1400.20-1-M, DoD Program for the Stability of Civilian Employment.
9. Reassignment or Promotion to Critical Vacancies: DoD 1400.20-1-M, DoD Program for the Stability of Civilian Employment.
10. Annual Leave Savings: 5 USC 6304(d); section 4434 of P.L. 102-484, The National Defense Authorization Act for Fiscal Year 1993; 5 CFR 630, subpart C; 5 USC 5551, 5552.